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8 **IN THE UNITED STATES DISTRICT COURT**
9 **WESTERN DISTRICT OF WASHINGTON**
10 **AT SEATTLE**

11 CAPITAL ONE INVESTING, LLC, a
12 Delaware Limited Liability Company,

13 Plaintiff,

14 v.

15 JOHN DOES I & II, individually, and the marital
16 communities and JOHN & JANE DOES I & II,

17 Defendants.

18 No. 2:17-cv-01436 RSL

19 **ORDER GRANTING EX-PARTE**
20 **MOTION FOR RELIEF FROM**
21 **TEMPORARY DISCOVERY STAY**
22 **UNDER FRCP 26(d)**

23 **[PROPOSED]**

24 THIS MATTER came on for hearing on Capital One Investing, LLC's ex-parte motion
25 for an order granting plaintiff's request to conduct early discovery in this case, despite the
26 temporary stay imposed by FRCP 26(d)(1). Plaintiff seeks this relief so that it may issue
27 subpoenas duces tecum in an effort to identify the proper party-defendants in this John Doe
28 matter.

29 The Court has considered plaintiff's motion, the accompanying Declaration of Scarlett
30 Harper, along with the complaint filed contemporaneously with the same. The Court is
31 therefore fully and duly informed.

32 **ORDER GRANTING EX-PARTE**
33 **MOTION FOR RELIEF FROM**
34 **TEMPORARY DISCOVERY**
35 **CASE NO. 2:17-cv-01436 RSL**

37 **LAW OFFICES OF**
38 **WILLIAM A. KINSEL, PLLC**
39 FOURTH & BATTERY BUILDING
40 2401 Fourth Avenue, Suite 850
41 SEATTLE, WASHINGTON 98121
42 (206) 706-8148

1 NOW, THEREFORE, the Court hereby GRANTS plaintiff's motion. The temporary
2 discovery stay ordinarily imposed by FRCP 26(d)(1) is lifted, and Capital One Investing, LLC,
3 is granted permission to conduct discovery, including specifically to serve subpoenas duces
4 tecum as may be necessary to identify the proper party-defendants to this action.

5 DATED this 6th day of December, 2017.

6
7 By: WA Slauson
8 UNITED STATES DISTRICT COURT JUDGE

9 PRESENTED BY:

10 KINSEL LAW OFFICES, PLLC

11 By: /s/ William A. Kinsel
12 William A. Kinsel, WSBA #18077
13 Attorneys for Plaintiff Capital One Investing, LLC

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